

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Rhonda D. Hamilton,)	C/A No. 5:13-2577-KDW
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Carolyn W. Colvin, Acting Commissioner)	
of Social Security Administration,)	
)	
Defendant.)	
)	

This matter comes before the court on Plaintiff's application for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. ECF No. 29. Plaintiff documents 17.16 hours of work by her counsel on this matter (5 hours in 2013, 11.58 hours in 2014, and .58 hours in 2015), as well as \$25.04 in expenses, for which she seeks an award of fees and expenses totaling \$3,310.03. ECF Nos. 29-1, 29-2.¹ The Commissioner does not object to Plaintiff's Motion. *See* Def.'s Resp. to Pl.'s Pet. for Attorney Fees, ECF No. 30. The Motion is granted.


The court has considered Plaintiff's fee application and finds Plaintiff satisfies the criteria for such an award and determines the time and rates sought to be reasonable and in accord with applicable law. Having considered Plaintiff's application, and in light of the Commissioner's response, the court *grants* Plaintiff's request for EAJA attorney's fees and costs in the amount of \$3,310.03 and directs the Commissioner to pay such fees to Plaintiff forthwith. Pursuant to *Astrue v. Ratliff*, 560 U.S. 965 (2010), the check is to be made payable to Plaintiff as the prevailing party rather than to her attorney. *See id.* at 591-98 (finding EAJA award payable to prevailing party and subject to the Treasury Offset Program if that party owes a debt to the government at the time of the fee award). However, as agreed

¹ At an hourly rate of \$189.31 in 2013, \$192.15 in 2014, and \$195.44 in 2015, the attorney's fees requested total \$3,284.99. *See* ECF Nos. 29-1, 29-2.

by the Commissioner, *see* ECF No. 30 at 1, the check is to be mailed to the office of Plaintiff's attorney.

IT IS SO ORDERED.

March 18, 2015
Florence, South Carolina


Kaymani D. West
United States Magistrate Judge